

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

06/06/2000

CLERK OF THE COURT
FORM R115B

HON. PAUL A. KATZ

B. Navarro
Deputy

CR 1999-010744

FILED: _____

STATE OF/ARIZONA

JAMES ARTHUR EAVES

v.

TERRY M/THOMAS
DOB: March 7, 1971

KRISTI M ADAMS

APO-SENTENCE IMPRISONMENT-CCC
APPEALS-CCC
DISPOSITION CLERK-CCC
RFR

DISPOSITION HEARING PROBATION REVOKED - IMPRISONMENT

10:28 a.m. State is represented by Shab Amiri for above-named counsel.
Defendant is present and represented by above-named counsel.

Court Reporter, Jenness Slabe, is present.

Counsel inform the Court that there is no further evidence to present.

The Defendant is given an opportunity to speak. Having found no legal
cause for delay, the Court enters the following judgment and sentence:

IT IS THE JUDGMENT of the Court that the Defendant violated the terms
of probation imposed on September 1, 1999 on the following charge(s), that
upon consideration of all the facts, law and circumstances relevant here, the
Court finds that suspension of sentence and reinstatement of probation are
not appropriate and that a sentence of imprisonment with the Department of
Corrections is appropriate.

IT IS THEREFORE ORDERED the probationary term previously granted is
hereby revoked.

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THE COURT FURTHER FINDS that there are circumstances sufficiently substantial to call for the term as indicated. These circumstances are stated by the Court on the record.

ACCORDINGLY, IT IS ORDERED that the Defendant is committed to the Arizona Department of Corrections for a term of imprisonment as follows:

OFFENSE: COUNT 1: POSSESSION OF MARIJUANA

FELONY CLASS: 6 UNDESIGNATED OFFENSE -- WHICH IS NOW DESIGNATED A FELONY

IN VIOLATION OF A.R.S. SECTIONS 13-3401, 13-3405, 13-3418, 13-701, 13-702, 13-702.01 and 13-801

DATE OF OFFENSE: July 23, 1999

SENTENCE: 1 year

PRESUMPTIVE

NONDANGEROUS

NONREPETITIVE

This sentence is to date from June 6, 2000.

The Defendant is to be given credit for 202 days served prior to sentencing.

IT IS FURTHER ORDERED, pursuant to A.R.S. §13-603(K), waiving the term of community supervision and ordering that the Defendant's probation in CR 2000-006395 begin immediately upon Defendant's release from the Arizona Department of Corrections in this matter.

IT IS FURTHER ORDERED that the Department of Corrections shall release the Defendant to begin his term of probation on the same date he would be released if this Court did not waive the term of community supervision.

FINE: IT IS ORDERED that the Defendant shall pay a fine to the Clerk of the Superior Court of Maricopa County in the amount of \$750.00, and all applicable surcharges are waived.

Payment shall commence on the first day of the fourth month upon release from custody of the Department of Corrections. Said payment shall not be less than \$40.00 per month.

Fine is to be paid to the Arizona Drug Enforcement Fund.

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IT IS ORDERED that the Defendant pay an assessment in the amount of \$20.00 to the Clerk of the Superior Court of Maricopa County as follows:

Pursuant to A.R.S. Section 12-116, Defendant shall pay a fee of \$20.00 to the Clerk of the Superior Court of Maricopa County. Should Defendant pay all penalties, fines and/or sanctions in full this date, said fee is not applicable.

IT IS FURTHER ORDERED that Defendant be given credit for any monies paid to date.

The Defendant is advised concerning rights of review after conviction and written notice of those rights is provided.

IT IS ORDERED granting the motion to dismiss the allegations of violation of the remaining term(s) as set forth in the Petition to Revoke.

IT IS ORDERED authorizing the Sheriff of Maricopa County to deliver the Defendant to the custody of the Arizona Department of Corrections and authorizing the Department of Corrections to carry out the term of imprisonment set forth herein.

ISSUED: Order of Confinement.

IT IS FURTHER ORDERED that the Clerk of the Superior Court remit to the Department of Corrections a copy of this order together with all presentence reports, probation violation reports, medical and psychological reports which are not sealed relating to the Defendant and involving this cause.

FILED: Notice of Rights of Review After Conviction

Let the record reflect that the probation violation report is filed under CR 2000-006395.

cc: DOC - Certified Copy via Certification Desk

cc: MCSO-DIS - Certified Copy via Certification Desk

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Let the record reflect that the Defendant's thumbprint is permanently
affixed to this sentencing order in open court.

10:40 a.m. Matter concludes.

/s/ HON. PAUL A. KATZ
JUDICIAL OFFICER OF THE SUPERIOR COURT

(thumbprint)